



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8325/1
Permit Holder:	PHIA Asset Pty Ltd
Duration of Permit:	23 May 2019 – 23 May 2024

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of land development.

2. Land on which clearing is to be done

Lot 9008 on Deposited Plan 404824, Port Hedland.

3. Area of Clearing

The Permit Holder must not clear more than 31.52 hectares of native vegetation within the area hatched yellow on attached Plan 8325/1.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for the activities described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing for those activities under the *Local Government Act 1995* or any other written law.

PART II – MANAGEMENT CONDITIONS

6. Avoid, minimise and reduce the impacts and extent of clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- (a) avoid the clearing of native vegetation;
- (b) minimise the amount of native vegetation to be cleared; and
- (c) reduce the impact of clearing on any environmental value.

7. Weed control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

8. Wind erosion management

The Permit Holder shall ensure that land development occurs within two months of cessation of clearing.

PART III – RECORD KEEPING AND REPORTING

9. Records to be kept

In relation to the clearing of native vegetation authorised under this Permit:

- (a) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares);
- (d) the date clearing activities ceased;
- (e) the date that land development activities began;
- (f) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 6 of this Permit; and
- (g) actions taken to minimise the risk of the introduction and spread of weeds in accordance with condition 7 of this Permit.

10. Records to be kept

The Permit Holder must provide to the CEO the records required under condition 9 of this Permit, when requested by the CEO.

DEFINITIONS

The following meanings are given to terms used in this Permit:

CEO: means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

fill means material used to increase the ground level, or fill a hollow;

mulch means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

weed/s means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*;
or
- (b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

*Officer delegated under Section 20
of the Environmental Protection Act 1986*

23 April 2019

Plan 8325/1

118°38.100'

118°39.000'

-20°22.200'

-20°22.200'

-20°23.100'

-20°23.100'

-20°24.000'

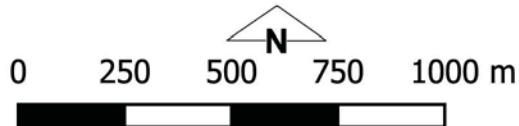
118°38.100'

118°39.000'



Legend

-  CPS areas approved to clear base layers
-  Cadastre
-  Road Centrelines
-  Image



MGA 94
Geocentric Datum of Australia 1994

Mathew
Gannaway
2019.04.23
13:32:18 +08'00'

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 8325/1
Permit type: Purpose Permit
Application date: 11 January 2019

1.2. Proponent details

Applicant's name: PHIA Asset Pty Ltd

1.3. Property details

Property: Lot 9008 on Deposited Plan 404824, Port Hedland
Local Government Authority: Town of Port Hedland
Localities: Port Hedland
GPS coordinates: Latitude: -20.3876 Longitude: 118.6321

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category
31.52	-	Mechanical Removal	light Industrial

1.5. Decision on application

Decision: Granted

Decision Date: 23 April 2019

Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing may be at variance to Principle (g) and not likely to be at variance to the remaining clearing principles.

A weed management condition has been placed on the clearing permit to minimise the risk of weeds spreading into adjacent vegetation. A wind erosion management condition has been placed on the clearing permit to minimise the risk of impacts from wind erosion.

The Delegated Officer also had consideration for the management measures proposed by the applicant.

In determining to grant a clearing permit subject to conditions, the Delegated Officer determined that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description The applicant proposes to clear approximately 31.52 ha native vegetation within a 38 ha development area within Lot 9008 on Deposited Plan 404824, Port Hedland, for the purpose of land development (Figure 1). The land development is for aviation services related to the adjacent Port Hedland International Airport (Emerge 2019).

Vegetation Description The vegetation within the application area is mapped as:

- Beard vegetation association 647 (Abydos Plain); Hummock grassland with scattered shrubs or mallee *Triodia* spp., *Acacia* spp., *Grevillea* spp., *Eucalyptus* spp. (Shepherd et al. 2001).

A flora and fauna survey (Emerge 2019) identified two remnant vegetation types within the application area:

- **AtTtE:** Shrubland of *Acacia trachycarpa* over low open shrubland *Acacia stellaticeps*, *Tecticornia* sp. and *Trianthema turgidifolia* over grassland of *Eragrostis* spp., *Triodia* spp. and **Cenchrus setiger*; and
- **AsTtCc:** Low open shrubland to low shrubland *Acacia stellaticeps*, *Tecticornia* sp. and *Trianthema turgidifolia* with open vineland of *Cassutha capillaris* over open forbland of *Pluchea longiseta* and grassland to closed grassland of *Eragrostis* spp., *Triodia* spp. and **Cenchrus setiger*.

Vegetation Condition The application area has been determined to be in a completely degraded to very good condition (Keighery 1994), described as:

- Completely Degraded: The structure of the vegetation is no longer intact and the area is completely or almost completely without native species; and
- Very Good: Vegetation structure altered, obvious signs of disturbance.

Soil/Landform Type: The main soil type in the application area is Uaroo System (281Ua) described as broad sandy plains, pebbly plains and drainage tracts supporting hard and soft spinifex hummock grasslands with scattered acacia shrubs (Schoknecht et al. 2004).

Comment The local area considered in the assessment of this application is a 50 kilometre radius measured from the perimeter of the application area. The local area retains approximately 99 per cent native vegetation cover.



Figure 1 Application area in blue

3. Minimisation and mitigation measures

The applicant provided the following avoidance and mitigation measures within the clearing permit application (Emerge 2019):

- part of the application area is within previously cleared areas; and
- water management strategies will be implemented to address stormwater and groundwater management.

4. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biodiversity.

Proposed clearing is not likely to be at variance to this Principle

The application is for the clearing of 31.52 hectares of native vegetation within a 38 ha development area. The remainder of the development area (6.47 ha) is comprised of cleared or completely degraded vegetation (Emerge 2019).

A flora and fauna survey of the development area was commissioned by the applicant and undertaken in November 2018 (Emerge 2019). Approximately 15.8 ha of the vegetation is in very good (Keighery 1994) condition, 10.4 ha in good (Keighery 1994) condition, with the remaining in degraded to completely degraded (Keighery 1994) condition (Emerge 2019).

The survey noted that a total of 38 flora species from 31 genera and 16 families were identified within the development area (Emerge 2019). As discussed under Section 2, two vegetation types were recorded within the application area, along with some previously cleared and degraded areas. Vegetation type AsTiCc is the most abundant covering approximately 31 ha of the application area.

As outlined under principle (b), the application area contains potential habitat for the night parrot, crest-tailed mulgara and bilby. However, due to the condition of most of the vegetation within the application area and its position between the airport runway to the south, BHPBio train line to the east and Great Northern Highway to the north, the application area is not considered to represent significant habitat for any of these species.

According to available databases, no threatened flora are within the local area (DBCA 2007-). As discussed under principle (c), no threatened species were found to occur within the application area (Emerge 2019).

According to available databases, 14 priority flora are located within the local area (DBCA 2007-). No priority flora were recorded within the application area during the survey (Emerge 2019). This is consistent with previous clearing permit applications within and adjacent to the application area (see CPS 5613/2 and CPS 2025/3).

According to available databases, no threatened ecological community (TEC) or priority ecological community (PEC) are located within the local area. No TECs or PECs were recorded within the application area (Emerge 2019).

Noting the condition of the vegetation within the application area, and that the application area does not support threatened and priority flora, a TEC or PEC, and does not contain significant habitat for conservation significant fauna, the application area does not comprise a high level of biodiversity. Therefore, the proposed clearing is not likely to be at variance to this principle.

(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna.

Proposed clearing is not likely to be at variance to this Principle

The majority of the vegetation within the application area is in very good to good (Keighery 1994) condition. The application area contains mixed tussock and hummock grasslands and low shrublands (Emerge 2019). No water sources are present within the application area and the majority of the application area appears to have been previously cleared prior to 2012, with native vegetation now re-establishing (Emerge 2019).

According to available datasets, 17 threatened fauna species, 41 species protected under international agreement, one Priority 3, five Priority 4, and two specially protected fauna species have been recorded within 40 km of the application area (DBCA 2007-). The majority of these species are coastal/marine species and are unlikely to be impacted by the proposed clearing.

The fauna survey addressed fauna habitat values of the area and provided a list of possible conservation significant fauna that may utilise the application area (Emerge 2019). According to the survey (Emerge 2019), habitat for the following species may be present:

- *Dasycercus cristicauda* (crest-tailed mulgara), priority 4;
- *Macrotis lagotis* (bilby) threatened (vulnerable) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and *Biodiversity Conservation Act 2016* (BC Act);
- *Pezoporus occidentalis* (night parrot), threatened (critically endangered) under the BC Act and endangered under the EPBC Act.

Due to the condition of most of the vegetation within the application area and its position between the airport runway to the south, BHPBIO train line to the east and Great Northern Highway to the north, the application area is not considered to represent significant habitat for any of the aforementioned species. No observations of fauna species utilising the site were recorded during the survey (Emerge 2019).

The local area is mostly intact, with approximately 99 per cent native vegetation remaining, therefore, the fauna habitats within the application area are not considered to be limited and are expected to be well represented elsewhere within the local area. The application area does not represent a fauna corridor and therefore clearing will not remove an ecological linkage necessary for the maintenance of fauna movement through the landscape.

Given the above, the proposed clearing is not likely to be at variance to this principle.

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora.

Proposed clearing is not likely to be at variance to this Principle

According to available datasets, no threatened (T) flora species have been mapped within the local area. No threatened flora were identified during the flora survey (Emerge 2019). Therefore, the proposed clearing is not likely to be at variance to this principle.

(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community.

Proposed clearing is not likely to be at variance to this Principle

According to available datasets, no TECs have been recorded within the local area. No TECs were recorded during the flora survey (Emerge 2019). Therefore, the proposed clearing is not likely to be at variance to this principle.

(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

Proposed clearing is not likely to be at variance to this Principle

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750 (i.e. pre-European settlement) (Commonwealth of Australia 2001). This is considered to be the threshold level below which species loss appears to accelerate exponentially at an ecosystem level.

The application area is mapped as the Beard vegetation complex 647, which retains greater than 97 per cent pre-European native vegetation extent (Table 1) (Government of Western Australia 2018). The local area retains approximately 99 per cent (approximately 2,120,000 ha) native vegetation. Therefore, the application area is not considered to be a significant remnant.

Given the extent of native vegetation remaining and that no flora, fauna or community of conservation significance is identified within the application area, the proposed clearing is not considered to be a significant remnant located within an extensively cleared area. The proposed clearing is not likely to be at variance to this principle.

Remnant native vegetation occurs adjacent to the application area. Mechanical clearing increases the risk of spreading weeds into these areas and may lead to potential impacts to biodiversity outside the application area. Weed management will minimise the risk of weeds spreading into adjacent vegetation.

Table 1. Vegetation extent remaining statistics (Government of Western Australia, 2018)

	Pre-European (ha)	Current Extent (ha)	Extent remaining (%)	Current extent in all DBCA managed lands (ha)	Extent remaining in all DBCA managed lands (proportion of Pre-European extent) (%)
IBRA bioregion:					
Pilbara	17,808,657.05	17,733,583.88	99.58	1,802,372.56	10.12
Vegetation Complex					
647	195,859.95	191,710.92	97.88	-	-

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Proposed clearing is not at variance to this Principle

According to available datasets, the application area does not intersect any watercourses or wetlands and the application area is not the buffer area for any wetlands or watercourses. The nearest watercourse is a minor watercourse 500 m to the east of the application area. It is possible that drainage lines are located within the application area. The applicant will implement onsite stormwater management which would reduce the risk of any impacts to nearby watercourses. The application area is also not within an area that is subject to flooding. Given the above, the proposed clearing is not at variance to this principle.

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Proposed clearing may be at variance to this Principle

The application area occurs within Uaroo System (281Ua) soil subsystem, mapped by the former Department of Agriculture and Food Western Australia (DAFWA) (now Department of Primary Industries and Regional Development) (DAFWA, 2017). This soils system is described as broad sandy plains, pebbly plains and drainage tracts supporting hard and soft spinifex hummock grasslands with scattered *Acacia* shrubs.

According to available databases, the application area is not within an area subject to inundation. Based on the mapped land degradation risk, the application area has a relatively low likelihood of salinity and subsurface acidification (Schoknecht et al. 2004). Noting the sandy soils mapped within the application area, the proposed clearing may lead to wind erosion if bare soils are exposed for extended periods of time. To minimise the risk of wind erosion, the applicant will be required to undertake construction works within two months of clearing.

Given the potential for wind erosion to occur, the proposed clearing may be at variance to principle (g).

(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.

Proposed clearing is not at variance to this Principle

The application area is not located within or adjacent to conservation areas and no reserves are present within the local area. As the proposed clearing is not expected to impact on the environmental values of any conservation areas, the proposed clearing is not at variance to this principle.

(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.

Proposed clearing is not likely to be at variance to this Principle

No watercourses or wetland are mapped within the application area (refer to principle (f)). The proposed clearing is not likely to affect salinity or sedimentation. Given the applicant will implement onsite stormwater management, the proposed clearing is not likely to degrade water quality within the local area. Given the above, the proposed clearing is not likely to be at variance to this principle.

(j) Native vegetation should not be cleared if the clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Proposed clearing is not likely to be at variance to this Principle

The proposed clearing is not likely to increase the risk of flooding (refer to principle (g)). Therefore, the proposed clearing is not likely to be at variance to this principle.

Planning instruments and other relevant matters.

The clearing permit application was received on 11 January 2019 and was advertised on the Department of Water and Environmental Regulation (DWER) website with a 21 day public submission period. No public submissions were received in relation to this application.

No aboriginal sites of significance have been mapped within the application area.

The proposal is located within the Pilbara Groundwater Area and the Pilbara Surface Water Area which are proclaimed under the *Rights in Water and Irrigation Act 1914*. A 26D licence to construct/alter a well and a 5C licence to take water is required in this area. Disturbance to the bed or banks of a water course may require a section 17 permit (DWER 2019).

The Northwest Region have advised that the proposed clearing activities are unlikely to have a significant impact on water resources. Impacts to water resources from the proposed industrial land use may need to be assessed and managed through other assessment processes in accordance with the Western Australian Planning Commission (WAPC) *Better Urban Water Management* framework (WAPC 2008) and/or other Government planning approvals. These mechanisms will be adequate to address any water resource risks from the proposed land use (DWER 2019).

The Town of Port Hedland (2019) has advised that a development application is required for the area and supports the granting of the clearing permit subject to the submission of the development application. No clearing can occur until the development application has been obtained in order to manage erosion impacts with respect to the conditions on the clearing permit.

The following expired permits overlap the application area:

- CPS 5613/2
- CPS 2025/3.

5. References

- Commonwealth of Australia (2001). National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Agriculture and Food WA (2017). NRInfo Digital Mapping. Department of Agriculture and Food. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/>.
- Department of Biodiversity, Conservation and Attractions (2007-). NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed 5 November 2018.
- Department of Water and Environmental Regulation (2019) Northwest Region – Water Planning Advice for Clearing Permit Application CPS 8325/1 (DWER Ref: A1774033)
- Emerge Associates (2019). Clearing permit application for Port Hedland International Airport – Highway precinct. (DWER Ref: A1754654)
- Government of Western Australia. (2018). 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions. Retrieved from <https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics>.
- Keighery, B.J. (1994). Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Schoknecht, N., Tille, P. and Purdie, B. (2004). Soil-landscape mapping in South-Western Australia – Overview of Methodology and outputs' Resource Management Technical Report No. 280. Department of Agriculture.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001). Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.
- Town of Port Hedland (2019). Town of Port Hedland advice for Clearing Permit Application CPS 8325/1. (DWER Ref: A1776261).
- Western Australian Planning Commission (2008). Better Urban Water Management. Published by the Western Australian Planning Commission. http://www.water.wa.gov.au/__data/assets/pdf_file/0003/1668/82305.pdf

GIS Databases:

- Aboriginal Sites of Significance
- DAFWA Heritage
- DBCA Estate
- DEC Covenant
- Groundwater salinity
- Hydrography, linear
- National Trust WA Covenant
- Remnant vegetation
- SAC bio datasets (accessed March 2019)
- Soils, Statewide
- Topographic contours
- Wetlands